

A-35

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan,

I am writing this letter in support of James Gatto. It was 29 years ago when I first met Jim and was given the chance to coach one of the finest people I have ever met. As his assistant coach in college, I saw Jim embody everything it meant to be a student-athlete. I have had the opportunity to coach almost 500 student-athletes over my career, and still after 29 years of knowing Jim, he remains one of the finest.

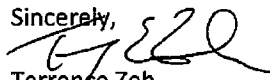
Jim was our team captain and point guard. Regardless of whether it was on the court or in the classroom, Jim gave everything he could possibly give. He did not give in order to receive. He gave for his teammates. He gave for his coaches. He gave for everyone and never for himself. He was and still is one of the most selfless people I have ever encountered. Jim would always sacrifice personal glory and fame for the betterment of the team. He continually took it upon himself to be a support person for the younger players. With the college transition, Jim made sure they kept in line with their academics and social responsibilities.

I remember many occasions when he would go out of his way to show up to freshman study hall and check-in to see if the younger players needed any help. On one particular evening, one of the younger guys was really struggling with his adjustment to college. Jim saw this struggle, and stopped by the young man's room and took him to dinner to make sure that he knew that we would all be there for him. After that dinner, Jim would always be that young man's family away from home. In today's world of "Me first", Jim is that refreshing person who is always thinking of others.

I have had the good fortune of staying in contact with Jim and his family for over nearly 30 years after his graduation from college. Whenever I was down or needed some support, it was Jim who always made it a point to call or text. He was that positive voice helping me push through the tough times in my life.

As I raise my own children, I reflect on the positive impact that Jim Gatto has had on me over these many years. I hope that my son is able to conduct himself both on the court and in the game of life like Jim Gatto. He always gave his best! He always represented himself, his family, and team with class and integrity! Jim Gatto always puts others ahead of himself and always is there for those who need it. He is the definition of selfless.

If I can be of any assistance or you would like to speak with me personally about Jim, please feel free to contact me anytime.

Sincerely,

Terrence Zeh
Assistant Women's Basketball Coach
Virginia Commonwealth University
tzeh@vcu.edu

A-36



XAVIER

HIGH SCHOOL

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Athletic Office

December 10, 2018

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: James Gatto

Dear Judge Kaplan,

My name is Joseph McGrane and I am the Varsity Basketball Coach and Chairman of the Physical Education Department at Xavier High School in New York City. I have held this position for 30 years. I am a Board Member of the Basketball Coaches Association of New York, the Boys Commissioner of the Rockland County, NY Catholic Youth Organization and was inducted into the Catholic High School Athletic Association Hall of Fame in 2015.

I grew up in Lynbrook, NY and have known James "Jim" Gatto and the Gatto family for 38 years. I began my coaching career as an assistant basketball coach at Lynbrook High School where I coached Jim on the varsity team. Jim, as a member of that team, had a tremendous impact on my decision to make teaching and coaching a career.

During the 1986-87 season, Jim Gatto was one of our team leaders and captains. He displayed a great work ethic and was the consummate point guard - always one to encourage his teammates and offer emotional support when needed. At the center of this was his self-respect and respect for others. Traits he carried on through college, his business career and his community in Portland.

I know Jim to be a man of integrity and high character. I am aware of what has taken place and that this event is certainly an anomaly in his life. I am requesting leniency in sentencing as this would place a heavy burden on both his wife and children. I trust that this matter will be resolved in a manner satisfactory to both Jim's goals and society's goals for these types of cases.

If I can be of any further assistance, please do not hesitate to contact me at 212-337-7577.

Sincerely,


Joseph McGrane



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U.S. DEPARTMENT OF EDUCATION BLUE RIBBON SCHOOLS PROGRAM

A-37



NOVEMBER 17, 2018

YOUR HONOR,

MY NAME IS TOM KONCHALSKI. I HAVE KNOWN TIM GATTO FOR MORE THAN 40 YEARS, SINCE HE WAS SEVEN YEARS OLD. I AM HAPPY TO HAVE BEEN ABLE TO COACH BOTH TIM AND HIS YOUNGER BROTHER PETER AT SUMMER BASKETBALL CAMPS. BEING INVOLVED WITH BASKETBALL, I MET HIM THROUGH MY FRIENDSHIP WITH HIS FATHER, TIM SR., WHO WAS A PROMINENT AND VERY SUCCESSFUL HIGH SCHOOL COACH FOR 39 YEARS AT NATER CHRISTI/ ST. JOHN'S PREP IN NEW YORK CITY. I HAVE ALWAYS FOUND TIM TO BE POLITE, RESPECTFUL, EVEN TEMPERED, AND KIND & CONSIDERATE OF OTHERS... ALL THE QUALITIES HE'D BEEN TAUGHT BY HIS WONDERFUL PARENTS, TIM AND BARBARA.

WITH HIS LIVING IN PORTLAND, OREGON THE LAST 25 YEARS, I'VE ONLY HAD OCCASION TO RUN INTO HIM RANDOMLY AT ADAMS BASKETBALL EVENTS ... UNTIL LAST MONTH TO OFFER SUPPORT FOR
(1)



HIM AND HIS FAMILY, I ATTENDED HIS TRIAL 9 DAYS IN OCTOBER. HEARINGWAY DEFINED COURAGE AS "GRACE UNDER PRESSURE." THE TIME SPENT WITH HIM AND HIS FAMILY, MAINLY IN THE 8TH FLOOR CAFETERIA BETWEEN SESSIONS OF COURT, ONLY RE-CONFIRMED MY OPINION OF HIM ... THAT TIM GATTO IS A PERSON OF HIGH CHARACTER, UNCOMMON GRACE, AND A LOVING + DEVOTED HUSBAND AND FATHER. SOMEONE WHO POSES ABSOLUTELY NO RISK AT ALL TO SOCIETY. I HAVE NO CHILDREN OF MY OWN, YOUR HONOR, BUT I WOULD BE EXTREMELY PROUD TO HAVE TIM GATTO AS MY SON.

THE VERY THOUGHT OF HIS SON JACK (A SENIOR IN HIGH SCHOOL) AND HIS DAUGHTER GRACE (ONLY A FRESHMAN) BEING DEPRIVED OF THEIR FATHER AT THIS CRITICAL TIME IN THEIR LIVES TEARS AT THE HEART. FOR THESE REASONS, I WOULD RESPECTFULLY + HUMBLY IMPLORER YOU TO EXERCISE EXTREME CLEMENCY IN FORMULATING HIS SENTENCE THIS COMING MARCH.

BEST WISHES FOR CONTINUED GOOD HEALTH, AND A HAPPY HOLIDAY SEASON.

RESPECTFULLY,
Tom Kradolich

A-38

Rich Burton
25 Morning Glory Road
Warren, NJ 07059

To: The Honorable Lewis Kaplan
From: Rich Burton, Brother-In-Law
RE: James Gatto – Character Reference

Dear Judge Kaplan,

I have had the distinct and timely honor of being Jim Gatto's brother-in-law for almost 30 years now. From the onset of meeting him after my blind date with my beloved wife, Danielle, I found him to be and continue to be one of the most giving, caring, and thoughtful people I have ever known. His loving caring nature and never altered loyalty for his family, friends, and colleagues are a true inspiration to many who know him and a true testament to the amazing man he is.

For our family, Jim's sister Danielle, our two daughter's Gabby and Julia, our son Rhett, even our dog Bruder, Jim's love he has shared with all of us and enthusiastic approach to life has been inspiring to all of us. Whenever we had times of trouble in our family, and there have been a few for sure, an immediate loving call from Uncle Jim to our kids, or Danielle and I was sure to be placed and always provided an enthusiastic, helpful, and loving conversation to help us smile and look ahead to better times.

For me personally, in June of 2016, when I lost my best and dearest friend to a sudden cardiac event, the first phone call came from Jim. His comments and advice helped me cope with a terrible physical and mental pain I had never felt before in my life. Even though Jim had his own personal tragic loss of his best friend in 9/11 he was right there for me, right by my side helping me transition to my new life normal without my dearest and most trusted friend. His thoughts and comments he shared with me during those tough times resonate with me to this day.

His true character trait however, the one that I continue to admire is the loyalty he exhibits to ALL people he meets, no matter their background, color, creed, or socio economic status. Everyone Jim comes in contact with immediately becomes aware that their thoughts, concerns, and feelings resonate immediately with him; making them feel like they are the most important person in the room. This is truly who Jim is and what he represents in our society as one who always puts others ahead of him and does everything he can to make their lives a happier and more fulfilling place.

At this time, due to Jim's character and caring nature as a person, I am hoping that you consider strongly a sentence of probation for our family's beloved father, husband, son, best friend, brother-in-law, brother, and uncle. Our society especially in these wearisome times, are in need of more caring and generous people like Jim, not less. I truly appreciate your consideration of deterring a prison sentence for probation so all in society can continue to love and appreciate all Jim does for any and all people that meet or know him.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Rich Burton', with a stylized, flowing script.

Rich Burton

A-39

Lee Kromminga
7009 SW 11th Dr
Portland OR 97219

December 16, 2018

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan,

I am writing today to ask you to please consider the term of probation in the case of Jim Gatto.

I have known Jim as a co-worker and friend for over 20 years. He has always been one of the most genuine and helpful persons I've had the pleasure of working with. Given the nature of his case, I sometimes fear people may assume him to be some sort of hyper-aggressive hustler or such. In actuality, I know Jim Gatto to be a really humble, decent, and well-grounded guy who tries to do his best, however he can, to help whoever needs it. He's a good man for his family, his friends, and anyone lucky enough to know him well.

I first really met Jim when we roomed together for an event in New York. Without going into too much detail, it was a BIG event and Jim happened to be at the center of a lot of it. Despite all that was going on, Jim took the time to make sure to include me and look out for me as a newcomer to the company and a first-timer to New York. I got to know Jim better over the years and always saw him trying to help people out, always remain humble, and always maintain a good sense of humor and perspective.

Jim has always placed a priority on his family. In addition to Jim's wife and kids, I've been lucky enough to meet his parents and some of his siblings. They are all very kind, thoughtful people, like Jim. His connection to them all has always been strong, as have his relationships with friends and co-workers.

Please consider a term of probation for Jim. He is a good man, with good friends, and a good family who needs him. I can think of no good that would come from a harsher sentence. Facing his mistakes, Jim has endured much already and faces a challenging road ahead. The specter of Jim's arrest and trial has likely already had its deterrent effect on others. A harsh sentence is not necessary, nor in the best interest of anyone. Thank you for your consideration.

Sincerely,



Lee Kromminga

A-40

Portland Tennis & Education
at St. Johns Racquet Center
7519 N Burlington Ave
Portland, OR 97203



The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan,

I hope you are doing well. My name is Jorge A. Fuenmayor and I have known Jim and his family for more than 20 years. I had the chance to first meet Jim when my wife and I moved to Portland, Oregon to start work for adidas back in November 1996. From day one, Jim was super helpful with any help we needed to get acclimated to a new job, city, or life outside of work.

Our friendship with Jim grew over the years, and both my wife and I were invited to Jim and Rachel's wedding. We felt super honored to have the chance to be included in their wedding, and more importantly to have the chance to meet his parents and rest of siblings. When I got married, both Jim and Rachel attended our wedding, and when I introduced them to my parents, my dad's first comment was "you are very fortunate to have true friend like Jim."

Living in the Pacific Northwest was not an easy task for my wife and I, considering that both of our families live very far way (Houston, Texas and Cali, Colombia). However, having Jim's friendship was instrumental over the years. We truly consider Jim as our extended family in the Portland area.

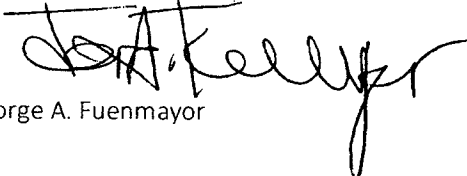
Over the 20-plus years that I have known Jim, I always knew that I could count on Jim for anything: how to deal with conflict at work, finances, work, personal, and family advice. Although we are almost the same age, Jim has been a great role model in every possible way.

The real test of Jim's character over the years was to get his full support when I lost my job at adidas after 15 years and after 6 years at Nike. No one prepares you to deal with death, or losing a job. To get those weekly calls from Jim was instrumental to keep my spirits up during those months I was job searching. Jim gave me the support, strength to never give up, and have a positive attitude during my trying times.

Although I didn't work with Jim the last 7 years, we have kept in contact and we spend time together. Since both Jim and I have kids, we like to get together and we can compare notes about our kids, their sports, education, college plans, etc. I know more of Jim and his family than even some of my friends that I have known more than 30 years. I know I can count on Jim for anything. When both of my kids ask me, "who is one of your best friends?", my first answer is always "Jim".

Judge Kaplan, I hope this letter provides you a glimpse of Jim's character. I beg you to consider imposing a term of probation, rather than prison sentence for Jim. I truly believe and I have seen that Jim and his family have suffered enough for the last 14 months. I can't imagine how much more Jim and his family will suffer if Jim is incarcerated. Jim is a super devoted husband and father, and not having him around the household will be devastating for the family. Jim has displayed a lifetime of amazing service to my family and me, but also to his co-workers, friends and family, and doesn't deserve to be incarcerated.

Thanks for your consideration,


Jorge A. Fuenmayor

A-41

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

TROY PAYNE
5055 N GREELEY ST
PORTLAND, OR 97217

RE: Jim Gatto

Dear Judge Kaplan,

My name is Troy Payne. I am an employee at adidas. I met Jim the summer of 2015. Jim was recruiting a friend of mine James Harden, who eventually signed with the brand the fall of 2015. I started working at adidas in January of 2016. In the 3 years that I've know Jim, he has been kind to his co workers, a great father, and a mentor to me.

Jim and I didn't work in the same department but he always made himself available when I needed advice or help with something. Jim was valued and respected at adidas because he worked there for so long and seen so much during his tenure.

Jim always had his kids around the office or at events that we had going on. Our lives at adidas requires a lot of travel but, Jim would not travel as much because of his kids. I worry for his kids if Jim is away from them.

Since the news broke of the case, myself and our team have assumed some of his responsibilities and everyone that I've come encounter with has expressed their concern for him and how much he meant to them. He is loved by all and well respected in the community.

I know Jim is very remorseful for what he has done. He has been through so much the last 15 months.

Jude Kaplan I ask that you impose a term of probation rather than a prison sentence. Jim isn't a threat to society. His family has been through so much over the last year. He is a family man who is loved by his community and doesn't deserve to be incarcerated.

Best,

Troy Payne

A-42

Joseph V. Martino
10 Clafford Lane
Melville, New York 11747

December 12, 2018

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Character Letter in regards to James Gatto

Dear Judge Kaplan,

Good day, I would normally address the Court "may it please the Court." But today your Honor, I want to speak to you not as an Officer of the Court but as a friend of James Gatto ("Jim"). I want to speak from the heart.

Jim's Dad, Coach Jim Gatto ("Coach"), has been a dear friend of mine for many years. Our basketball relationship began in coaching High School Students together on Long Island. It has since evolved into a special personal relationship. I love Coach. Coach is truly one of the best people I know today. Coach is a man respected throughout the basketball community whether youth, high school, college or professional basketball as a man of principles, high character and integrity. He embodies all the character traits that every man strives to achieve. He is truly "the salt of the earth."

Coach grew up in Brooklyn in a blue collar household. He grew up with that strong work ethic ingrained him by his parents. Coach was never nor is "about the money." He is about making a difference in society. He is about inspiring people and kids to work hard to achieve whatever they want in life. That is what brought him joy all these years. He inspired many of those kids that he taught and coached at St. John's Prep in Astoria. Many of his students became great Professionals, College Basketball stars, Professional Athletes, Teachers, Trades Men, Firefighters, Police Officers, etc. He is the man many people today should aspire to become. He is the man I still aspire to become. Just recently at a game I attended with Coach, the official score keeper came up to Coach to thank him for giving him the opportunity to work under him at St. Johns Prep. He told Coach "you believed in me you "changed my life." It was truly a great moment as I watched Coach a very humble man just smile knowing he was able to touch other soul. Another individual positively impacted by Coach.

While he was inspiring his students at St. John's Prep, his greatest accomplishment was not as a Coach and Teacher but as a proud Dad. He and his lovely wife Barbara, raised three wonderful children, Jim, Peter and Danielle. Coach and Barbara through hard work have been able to live a modest life. They taught their children life isn't about "the money" but rather about being good people. Work hard at whatever you decide to do, do it with a passion, do it with integrity, always be humble, and try to make a difference in someone's life.

Jim has been perceived by the Prosecution's narrative as an evil man, self-serving, all about the money, with a low moral base. As they say "Perception becomes Reality," however, in this case the reality is Jim, the individual, is the complete opposite of how he was portrayed by the Prosecution. Nothing could be further from the truth.

Truth be told the reality is that Jim embodies all the same traits engrained in him from infancy by Coach and Barbara. Today Jim personifies everything that Coach and Barbara wanted him to become. Working at Adidas, Jim has impacted many kids all over the world. Kids of all ages, races, economic statuses, etc., at the many basketball camps throughout the world. He has been able to show them a path to success by applying hard work on the basketball court. This hard work will then hopefully transcend into whatever they choose to do in life.

Your Honor, just to be clear Jim was never an Executive for Adidas nor was he making millions of dollars in salary as the Court/Jury may have been led to believe. But rather he was a middle level manager who worked 20+ hard years to obtain that modest salary of \$130K.

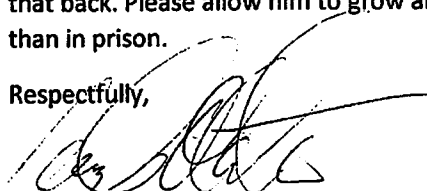
He is simply a regular guy who values family. He always puts his family before his work. That is how he was raised. Nothing matters more to Jim than being a good husband to his wife, Rachael, a good father to his children, Jack and Grace, a good son to his parents, a good brother to his siblings and a good uncle to his nieces and nephews.

For the past 30 years every summer the whole family gets together at the family cottage in Michigan to spend some quality time together. Jim doesn't go on fancy expensive family trips. He just looks forward going to Michigan to spend quality time with the whole family.

Yes he was found guilty by a jury of his peers and now must face the consequences of the crime. He is a family man who has never previously committed a crime; He is not a person someone would perceive to be a criminal; He isn't a violent person; He wasn't out to hurt anyone. With that said, I plead with the Court to provide Jim leniency in the upcoming March sentencing hearing.

Jim has been serving time since his arrest. He has been shun by various people and has to live with this crime his whole life. His career, reputation, and livelihood have been deeply damaged. He will never get that back. Please allow him to grow and heal from this with the support of his family at home rather than in prison.

Respectfully,



Joseph V. Martino

A-43

November 16, 2018

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pear Street
New York, NY 10007

Dear Judge Kaplan,

I am writing this letter on behalf of James Gatto. I met Jimmy's mom 35 years ago when we worked together. We became fast friends and then "family". Jimmy was 13 years old at that time, similar in age to my two sons and, as a result, they more or less grew up together. Being a single parent, we spent many holidays together -- Thanksgiving and Christmas at the Gattos and Passover, Rosh Hashanah and Yom Kippur break-fast at my home. We all went to Mets games at Shea Stadium as well as attending high school basketball games. We attended Jimmy and Rachel's wedding, and through the years, I witnessed the most caring and devoted husband in Jimmy. I watched their children, Grace and Jack, grow through holiday cards and visits to New York and, again I saw the love and devotion from Jimmy. They were his number one priority.

Growing up, Jimmy was a great kid, loving, caring and very respectful to all. He has a strong sense of family and is extremely close to his brother and sister and their children and, of course, to his parents.

There is one incident that stands out in my memory that has made a lasting impression on me. One of Jimmy's best childhood friends, Morty Frank, worked at Cantor Fitzgerald and was killed on 9/11. Jimmy was devastated. Within a week after the tragedy, the family held a memorial service in New York. Jimmy flew from Portland to attend the service, much to the trepidation of his wife Rachel (due to the raw fear of another terrorist attack). The following year, Morty's family established a scholarship fund in his memory at Lynbrook High School (which they both attended), as well as an annual golf outing to raise money for the fund. Whenever possible, Jimmy attends these outings and helps in any way he can to raise money for the fund. He still keeps in touch with Morty's parents and is very close to Morty's brother. To me, this demonstrates compassion, loyalty and devotion to everyone he holds dear.

I implore you to consider some leniency on James Gatto's behalf and grant him probation. I'm asking this, not just for Jimmy, but for his family, especially his children and his parents. Both children are in high school, Jack a senior and Grace in her freshman year. This past year Jimmy wasn't able to visit colleges with his son Jack, who possibly won't be able to attend the college of his choice. These are difficult years for kids in general, and I feel a prison sentence for Jimmy would be emotionally devastating to his children at this critical time in their lives. This last

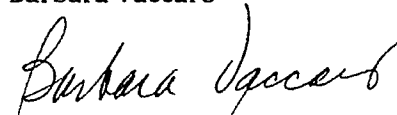
year has been punishment enough. Jack will be graduating in the spring and going off to college. I can't imagine what he's going through right now thinking his father won't be there to share these moments with him. There is no opportunity to relive the parent/child bonding and character-building events that occur during these formative young adult years.

Regarding Jimmy's parents, who are both in their late 70's, the emotional and psychological toll n them this past year has been overwhelming ... it is truly heartbreaking.

Thank you so very much, Judge Kaplan, for your consideration.

Respectfully,

Barbara Vaccaro

A handwritten signature in black ink, appearing to read 'Barbara Vaccaro', written in a cursive style.

9108 Vander Cove
Boynton Beach, Florida 33473

A-44

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan,

I would like to respectfully ask for your consideration of probation for Jim Gatto in his upcoming sentencing phase in 2019. He is a compassionate and kind person who I observed consistently display outstanding character and integrity.

I first met Jim when I joined adidas basketball as business unit manager in early 2001. I was new to the brand and unsure of how best to integrate into the existing team. Jim took extra time and energy to help me transition into the new role when others took a different tact. I will always be grateful to Jim for this example of high character which he consistently exhibited in my relationship with him over time.

It is important to note that I am now at a competing brand to adidas. There is no benefit in vouching for Jim's character beyond simply wanting to communicate my strong support of him as a human being. His community minded, compassionate perspective on life is best optimized as an active member of society.

If you have any questions for me, please feel free to contact me at the address below.

Thank you very much for consideration.

Best Regards,

Mark Clinard
1 Wintergreen Circle
Andover, MA 01810
617-584-3549

A-45

December 15th, 2018

The Honorable Lewis A. Kaplan

United States District Judge

Southern District of New York

500 Pearl Street

New York, NY 10007

Dear Judge Kaplan,

I am writing to you regarding the case of Jim Gatto. I have known Jim since the day I interviewed for an entry level position at adidas America in 1999. The position was hourly/bottom of the barrel type role with within Basketball Promotions. I interviewed with three HR staff members and five department members including Jim. I thought it was odd to interview with eight people for an entry level position, however I quickly found out how important it was to hire people who worked well the department.

For the next three years I worked under Jim's supervision. As a young driven alpha worker, who needed guidance and direction Jim was always there for me. There were times when he had to give the serious and "difficult conversation" however more often he would give the message in his more comic relief delivery. The consistent message to operate what was best for the department and the company and most importantly treat people with respect.

Even after I left adidas, our relationship grew. He didn't care who I worked with or for, he cared for me as a friend and colleague. Now as an Executive Senior Associate Athletic Director at Southern Utah University, when people ask me if I know Jim Gatto – I respond YES, I know him quite well, he is a great friend of mine!

Your honor, I respectfully ask leniency with Jim's sentencing. He is a fantastic father, husband, Catholic, member of his community. I know he would take advantage of the opportunity you could give him a more lenient sentence.

Respectfully



Dan Moye

Cell (503) 475-2660

A-46

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan,

I feel extraordinarily fortunate to have known Jim and his family for almost 19 years. In that time he has had a tremendous influence on my personal life and professional career. In the spring of 2000 I was a recent college graduate with limited experience who dreamed of a career in the sports industry. Jim provided that opportunity when he hired me as an external candidate to fill a Customer Service role within the basketball department. And although he provided me with entry into the industry, it was the things I learned once I started working for him that have stood with me throughout the years.

Work hard. Treat all people with respect. Be humble. Be kind. Be supportive. Love your family. Get to know and care about people on a personal level.

These weren't just words though. I learned these values through watching him.

Jim opened his home to the team. His wife Rachel would often times join us for lunch. We were invited to their house for barbeques. We all shared in the excitement of their first born son, Jack. I saw the importance of family and the value of being inclusive to those around you first hand. We were all aware we were a part of something bigger than work.

When I applied for a job outside of his department, Jim was a huge advocate for my promotion. By leaving the department I would leave his team a headcount short. It didn't matter to Jim though, he wanted to see me chase my dreams.

Jim was the first phone call I made when I left adidas to work for a competitor. I had been with the company for 14 years but hadn't worked with him in close to 11. I was concerned I was going to let him down after he had provided me with so much and supported throughout my career. Instead he was excited and congratulatory saying what was best for me and my family was all he cared about. He assured me our friendship was based on far more than where I worked.

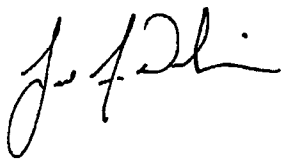
The one example that stands out the most though surrounds the loss of my dad. At the time I was working for Under Armour and hadn't been with Adidas for at least a year. Jim and I lost touch as often times happens. I lived in a different state, worked for a different company, began a family of my own, etc. My dad passed away from cancer in September 2014. At the funeral, the first person I saw was Jim Gatto. He drove 2 hours (Portland to Eugene), mid-week to attend my dad's funeral. He barely knew my dad but he wanted to be there to support me.

There has been a lot written about Jim recently. I am not here to dispute it. The man I know on a personal level though is a loyal husband, a loving and proud father, a supportive friend and a mentor. Jim has a positive impact on his friends, his coworkers, and his community and is needed by his family.

Thank you for taking the time to consider my words. I can't imagine the weight of the decisions you make. I hope that my words will give you more insight into the man I know versus the actions you're judging and ask for your thoughtful consideration.

Sincerely,

Joel Durbin

A handwritten signature in black ink, appearing to read "Joel Durbin". The signature is fluid and cursive, with the first name "Joel" and last name "Durbin" clearly distinguishable.

A-47



12/12/18

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan,

I am writing this letter on behalf of my close personal friend and colleague Mr. Jim Gatto. It pains us all to see Jim, Rachel, Jack and Grace in this situation, but we truly appreciate you taking the time to read these letters and understand the true character of Jim and the man we all respect, admire and truly enjoy having in our lives.

I have known Jim since 1995 when we first met as young sports marketing professionals trying to find our niche in this business. Jim working with NBA player Detlef Schrempf on getting the proper fit for his shoes, and I working the front desk and answering phones at the Seattle SuperSonics. We were two young guys working as hard as they could and extremely happy to have an opportunity to be in the positions we were. Jim and I immediately connected and built a quality relationship built on trust, integrity and the overall goal of working our butts off but having fun while doing it. Over the course of the next 23 years together, we developed some of the best basketball events and projects in the business and helped thousands of young men and women fulfill their dreams and utilize the resources provided to better their lives both on and off the basketball court as players, leaders, coaches, mentors, icons and contributors to their communities. All of this would not have been accomplished without Jim Gatto and his willingness to work with all types of people. Jim doesn't play favorites, doesn't judge, doesn't hold grudges...but he does inspire (especially now and the strength he's showing), assists, lifts up and gives hope to anyone who has worked with him and been in the trenches with him. The basketball business is tough, it's not always pretty and many times beyond your control...but NEVER have I seen Jim lose his cool, visibly show frustration while always remaining optimistic. Even today as I recently spent some time with the family, Jim is still a role model to his kids, his wife, his friends...he's strong and someone who treats everyone with respect, kindness and fairness...traits that are becoming tougher to find each and everyday.

Here's a few insights into how Jim Gatto has helped thousands over the years.

In 1998 when we talked about putting together the first Dr. Martin Luther King Game in Seattle, the King Holiday Hoopfest, Jim stepped up and printed 5,000 t-shirts for all those in attendance.



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f t i y in

In 2004, I invited Jim to a new event we were putting on, the Las Vegas Summer League. We were trying something new and literally had inflatable people in the stands to fill the seats. Jim being the friend he was, saw that we needed help and decided to have adidas get involved the following year. He provided adidas product which allowed us to add a kids camp, and later helped sponsor our International Coaching Clinic to support young Coaches trying to find a way into the business and acknowledged the time they were putting in during the off season.

In 2007 a group of us started a program called adidas nations, with Jim's vision and support. Over the next 11 years the program became the premiere out of season camp in all of basketball and helped launch a completely different opportunity filled life for hundreds of prospects by teaching them "how to be pros", many of which went on to earn millions of dollars because of this one opportunity. I mention these three instances (there are many others) because they all helped others first...nothing financially gained by Jim and never was anything expected. He was doing his job and making the game and the lives of those involved better...that's all he has ever done. He's a selfless person, it's never about him and even in this situation he's in, he was doing his job and trying to benefit others.

When all of this happened to Jim we were devastated. If you were to ask those close to him in the sports business, colleague or competitor, they will tell you that he is truly one of the nicest and highest character guys around. To see him painted as a criminal is just not accurate.

Jim's family needs him now more than ever. The experience has been extremely difficult for Rachel, trying to maintain some sense of normalcy, Jack is planning for college with the fearfulness of being on his own for the first time, while his daughter Grace begins the high school journey during a very challenging time for young women.

We are asking you to please consider giving probation in this case, he does not deserve jail time. If given probation, there's no doubt Jim Gatto will develop and execute a life plan where he will be a positive contributor in his community, find his footing again as a professional and rise above this ultimate learning experience and give back to others as he always has.

Thank you for your time in reviewing this letter, it's important to hear more about Jim Gatto, the man we all know and love.

Sincerely,



Albert Hall
President, Hall Pass Media



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A-48

Ray A. Martin

2716 Steeple Run DR. Wake Forest, N.C. 27587-919-592-3670
RAYAMARTIN55@GMAIL.COM

December 8TH, 2018

THE Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, N.Y. 10007

Dear Judge Kaplan,

I have known Jim Gatto, Jr. for over thirty years as a friend and a loving family man. Jim has been a part of my life from the day he attended a basketball camp in North Carolina at age 8, in which I was a camp counselor. I can not remember how many times Jim has assisted me with helping kids have basketball uniforms or sneakers so they could participate in various youth Basketball Leagues.

I been a basketball Coach for over forty years and know first hand the need for young kids to feel part of something positive. Having the opportunity to outfit these kids with equipment to play in these different youth Leagues made the kids feel "GREAT"!! Jim has a "Big Heart" and

Cares about everyone that cross his path.

The Jim Matto, Jr. I've known for over three decades made everybody feel like they had value. Everybody is somebody in Jim's world. He is very goal oriented and shares those feelings with the people he meets. He is extremely organized and returns call/emails in a timely fashion.

In closing, Jim has impacted the lives of many underprivileged kids in a very positive way and assisted me in keeping the "Hope" alive for the young people that play on my team. If you have any questions, please do not hesitate to contact me.

Sincerely,
Ray A. Martin

A-49

December 4, 2018

The Honorable Lewis . Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan:

I am writing this letter on behalf of my son-in-law, James Gatto. He has been a member of my family for over twenty years. He has always been a loving husband to my daughter, Rachel and great father to my grandchildren, Jack and Grace. From the time he married my daughter he has always called me "Mom". Whenever he was in the area of Western New York where I reside, he calls and meets me for lunch. I appreciated the fact that he would take time out of his busy schedule to arrange a luncheon.

Whenever I visited the Gatto family in Oregon, he always made me feel welcome and was always very accommodating. He often offered to pay for my flight out so I could be with the family on holidays. I was invited to his family home on Long Island to attend the christening of my grandson. While there, Jim took all of us to a New York Yankee game and sight seeing in New York City. I know Jim helped arrange an annual golf tournament in memory of a classmate of his who was killed in the 9/11 attack in New York City. While I was in Oregon for Thanksgiving or Christmas, Jim would invite a fellow colleague for the holiday if they had no family in the area. He has always been considerate of others.

I hope and pray that term of probation instead of a prison sentence can be imposed. My daughter and grandchildren have no relatives in the Portland area and only a sister in California and me in the Buffalo area. I respectfully request that you consider my request.

Respectfully submitted,

A handwritten signature in cursive script that reads "Roberta A. Carlson".

Roberta A. Carlson
2584 North Main Street
Newfane, NY 14108

A-50

David H. Cohen
11210 E. Del Timbre Drive
Scottsdale, Arizona 85259
November 26, 2018

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Honorable Lewis A. Kaplan:

I plead for leniency and a term of probation rather than prison for Jim Gatto.

In 1997, I first met Jim Gatto when I was running sales for the Portland Trail Blazers. He was a young associate at adidas basketball. He visited the office to purchase season tickets. During our visit, I found Jim to be someone that was very personable, likable and trusting.

Over the course of five years with the Trail Blazers, Jim and I would see each other at games, occasionally go to lunch, meet before games, etc. Then, one day things changed. My wife and I had our first baby, a son named Casey. Jim, at the time, was working with a young superstar, Kobe Bryant. In one of our many conversations, Jim asked if he could introduce a young Kobe to our newborn. In the Lakers next visit to Portland, Jim coordinated a post-game visit between all of us. In our visit, Kobe playfully held Casey, took photos and spoke to each of us. He even signed an NBA ball directly to Casey, which my son still cherished over 20 years later.

I tell this story because it would not have happened with the character, generosity and care that Jim has for others. See, he didn't need to do any of the previously mentioned. Kobe was a Laker, I worked for the Blazers, we were a Nike organization and he worked for adidas (all rivals). However, he went out of his way to create an experience that my wife and I will always remember (of course, we have pictures for Casey to remember!).

Throughout the years, I moved on to work for other organizations, which included the Atlanta Falcons and now at Arizona State. During this time, Jim and I would continue to keep in contact, share text messages, phone calls, etc. In each and every communication we had, family was always asked by both sides. Jim is a caring friend that puts his family, Rachel, Jack and Grace and his dog, Coach, as his primary areas of concern.

Honorable Lewis A. Kaplan
November 26, 2018
Page 2

Over the 20 years I've known Jim, I've only known him to be of high character and a strong role model within his community. He's a man of his word and will really do anything for anyone.

Jim is a good friend. He is a parent but someone who puts everyone else first. He has many great traits and responsibilities however his greatest are being a husband to Rachel, a father to Jack, who is heading to college and a daughter, Grace, who is entering high school.

I ask that you please take these situations into consideration and impose a term of probation than a prison sentence. I know the past year has put strain on Jim, Rachel, Jack and Grace. He has suffered greatly already and the Gatto family should not have to suffer anymore.

Respectfully,

A handwritten signature in black ink, appearing to read "David H. Cohen". The signature is fluid and cursive, with the first name "David" being the most prominent.

David H. Cohen

A-51

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

December 4, 2018

Dear Judge Kaplan,

Thank you for your time and attention to my letter. I wanted to give some insight on James Gatto. Jimmy is my cousin, and although we did not grow up near each other (he in New York and myself in Virginia), our families visited one another several times a year. My brothers and I, and Jimmy and his siblings, were similar in age, so it made for some great times together. As we all grew older the visits became less, and we moved farther apart, but we always kept in touch whether it be through our parents, family events, phone calls, or simply holiday greetings.

There was one occasion from about 15-20 years ago that stands out to me that I would like to tell you about. Jimmy contacted me and said he, his brother, and parents were going to be in Raleigh, NC for a basketball event for some local youth players, and since I was local to Raleigh, it would be a great time to see each other. I was thrilled, of course, to see all of them, but during the whole time what really struck me about my cousin Jimmy was the care and concern he showed for these boys. He helped them in every way, not just with basketball, but with life lessons, on and off the court. I was so glad to see Jimmy obviously doing what he loved, and also that he wanted his family to be part of it. That's the Jimmy Gatto that I know, a caring, family oriented person that looks out for everyone.

Thank you, Judge Kaplan, for your time. I can only imagine the burden you may have when making such a crucial decision. I hope this letter helps to show that Jimmy is a plus to our society, on many levels. I know he will continue to be a great father, husband, and friend, and any leniency you could give in sentencing, would certainly be positive for all.

Sincerely,

Joseph L. Carnevale, Jr. (jcarnevalejr@yahoo.com)

A-52

February 1, 2019

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan,

We are Chiney Ogwumike, 2-Time WNBA All-Star and ESPN NBA Analyst, and Allison Galer, a sports agent and attorney (and Chiney's agent); we are good friends and colleagues of Jim Gatto.

We met Jim over five years ago, in connection with his work at Adidas. Unlike many men in sports who have chosen to ignore hard-working female athletes, Jim cares and has been instrumental in raising the profile of female basketball players.

We know Jim to be a loyal, hardworking, caring, honest, businessman and friend, and a family man. In our experience with Jim, he has always been true to his word, a great business partner who took time to get to know us and support us in our jobs. Being females in the business of sports, there are not many honorable, supportive men like Jim. Jim has always treated us with the utmost respect.

We are hopeful that you will take this in consideration to impose a term of probation for our friend Jim.

Respectfully,

Chiney Ogwumike & Allison Galer

A-53

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

December 16, 2018

Dear Judge Kaplan,

My name is Jelena Soce. I have worked for Jim at adidas Basketball for 9 years; the best 9 years of my 15-year career.

I come from former Yugoslavia, have a German passport, live in Italy and have travelled the world for work. Living, meeting, working with different cultures across the world and coming from a war country thought me one thing: there is good and bad people. Jim is certainly one of a very few good people I have known within our business but also privately.

When I started working for adidas in 2008, I was the only woman on the sports marketing team among 8 guys. Thanks to Jim and his approach towards me, everyone accepted and respected me as a fellow colleague. Not only have I had this experience internally with him but also in our business world that is populated with male partners. Jim made sure that people trust my opinion, appreciate the work I do and show respect internally and externally like he did himself.

When people tell you that if you consider your job a hobby it is not a job, it indeed is true. Through his ways of trusting me and my team, Jim empowered us to develop but also to have passion for what we do. This is a dream of any person. Even though our work was most of the times 24\7, under Jim's leadership every day was fun, was something to look forward to, it was living a dream, something I cannot say is the case today. Work has become a job, getting to Fridays, to the next holiday, to the next payroll....we (my team and me) only realized this when Jim left. These are things that improve the quality of our everyday life but Jim did not do this only at work, he made sure whenever he could to do this also personally. He was not only a boss but a true friend.

There is a saying in our country: you see the real face of people in difficult times. And again Jim was there for me in the worst moments of my life. 2013 and 2014 (about year and a half) was the worst period of my life. My dad was fighting unsuccessfully cancer, my mom had aneurism and I was pregnant....it was not HR or any other fellow colleague; it was Jim who gave me any support possible during that time, something I will never forget. It was the moral support of a friend and the right way of going about work in such a difficult time. I was going thru a nightmare that Jim helped me get thru. This was only possible because Jim is a family guy, someone who knows the right values in life.

I have always admired the way he was around his family and the way he was without them but always behaving the way his wife and his children could only be proud of him. Not to mention what kind of boss and a friend he was when I had my little son Liam. With his leadership and advice I have always managed to have the right work and life balance.

I will always be grateful to Jim for the respect, acknowledgement, trust, living the dream, friendship he gave me in the 9 years together at adidas and I hope to soon work with him again.

Best,

A handwritten signature in black ink, appearing to read 'Jelena Soce', with a stylized, flowing script.

Jelena Soce

A-54

The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
500 Pearl St
New York, NY 10007

Dear Judge Kaplan,

My name is Seth Greenberg I am a former college basketball coach and I currently work for ESPN as a college basketball analyst. I have known Jim Gatto for well over 25 years. I remember him as a young boy sitting at the end of his fathers Mater Christi bench as his dad coached for championships. I have seen first hand the kind,genuine and caring father he is and I am fortunate to call him a friend. .

Jim Gatto cares about people. Jim Gatto is a giver that wants to make a difference. My daughter, three years ago was working on the Bob Woodruff Foundation, Stand Up for Hero's concert to benefit Wounded Warriors. She asked me if i could find anyone to help support the event and donate anything for the soldiers in attendance. I called Jim and without hesitation he was all in and sent backpacks ,shirts and water bottles for the veterans and their families. His willingness to support this event meant so much to the men and women that made the ultimate sacrifice. The past three years I worked as an ambassador for Adidas and

during that time I have watched Jim interact with his children Jack and Grace. As a parent. Jim Gatto is second to none. I have observed first hand him walking around an event hand to hand with his daughter Grace. Having three daughters myself Jim and I have had many conversation on how difficult it is for young girls these days and how much high school girls need their fathers in their lives during this time. I've shared rides to and from an events in South Carolina with Jim and his son Jack and saw a father with a special relationship with his son. I saw a son that was raised by a loving father that spent time and was involved in his sons life. A father that Jack needs as he readies to venture off to college next fall. Jim might have worked for Adidas but his most important responsibility was as a parent and husband.

I judge people on how they deal with others on a daily basis. On how they communicate and interact with not the upper class or their bosses or people of influence but just the everyday people they cross paths. Jim Gatto treats everyone the same. He treats everyone with kindness and respect. When he is talking to you he is engaged with you. You will not find a more sincere or selfless person.

Judge Kaplan, I am asking you to strongly consider imposing a term of probation rather than a prison sentence. The impact that sentence would have on Jack, Grace and Rachel would be devastating. He has suffered tremendously, his family has suffered tremendously. Jim Gatto has lived a life of service to

others. He has been a model citizen, father and husband. He is a person that others respect because he is a good human being. He is not a person that needs to be incarcerated.

Respectfully,

A handwritten signature in black ink, appearing to read "Seth Greenberg". The signature is fluid and cursive, with the first name "Seth" written in a larger, more prominent script than the last name "Greenberg".

Seth Greenberg

Sethg4185@gmail.com

540 250-1056

A-55

Robert & Mary Clyne
12 Briarwood Court
Rockville Centre, N.Y. 11570

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan,

We have known James Gatto since he was 2 years old. We were his neighbors in Lynbrook, New York. Our son and Jim were best friends while growing up, playing ball all day long. Jim became another son and a member of our family.

Throughout the years we saw that Jim was well liked among his peers, faculty and coaches. As a teenager Jim coached younger players and taught them how to play ball. He was looked up to as the bigger brother. He was always ready to encourage other players, letting them know that they were progressing in their skills and ability.

We have always seen Jim as a respectful person throughout his childhood, teenager and adult years. He is a loving husband, father, son, and brother.

Sincerely yours

Robert Clyne
Mary Clyne

Robert and Mary Clyne

A-56

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan,

My name is Randy Livingston. I am a former professional basketball player, having played 10 plus years in the NBA and internationally. Since retiring from playing in 2007, I have coached at the pro, college and grassroots/AAU levels. I was first introduced to Jim Gatto by Sonny Vaccaro in 1993 and have had continuous contact with Jim throughout the 25 years since we first met.

In recent years, Jim helped me in my transition from player to professional coach. By selecting me to scout, coach and manage the Asia-Pacific team at ADIDAS Nations Global tournament for four consecutive years, not only did he empower me to make this important life transition, but he continued to support my success through ongoing guidance and mentoring, always encouraging me to act with integrity and make high character choices.

Jim's character has been impeccable the whole time I've known him. One example that comes to mind to illustrate this point is that after Hurricane Katrina, when my home city of New Orleans was suffering from the after-effects of the storm and badly needed a boost, Jim hosted the ADIDAS Nations Global Tournament in New Orleans. While in New Orleans Jim and the ADIDAS Nations organisation did a lot of work in the community and that taught me the importance of giving back and having a social conscience. Since then, I have re-doubled my own efforts to use sport to effect positive change, particularly in lower socio-economic communities.

In short, Jim has played a big role in helping me become the man I am today and for that I am truly grateful.

With the greatest respect to the law and the discretion you may use when applying it, I would urge you to consider probation rather than prison when sentencing Jim Gatto. Jim leads a full and productive life both as a committed father and leader in his community. He is not deserving of incarceration and does not require time in prison for incapacitation, deterrence or rehabilitation. The trial process itself has been a form of retribution. In this context incarceration serves no purpose. In addition, I urge you to take into account the impact that such outcome would have on his family, who have already suffered tremendously throughout these proceedings.

Sincerely,



Randy Livingston

President, LivOn Basketball
15415 Manchac View Ct
Baton Rouge LA 70810

A-57

December 17, 2018

The Honorable Judge Lewis A. Kaplan
United State District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Dear Honorable Judge Kaplan,

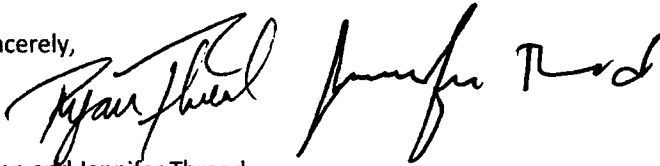
My wife and I are writing this letter to express our opinion of the character of our friend, James Gatto.

My name is Ryan Thread and I'm the Pacific Northwest Regional Manager for Cell-Crete Corporation. My wife has worked for over twenty years at Ann Taylor, Inc. We have known James (Jim) and his family for over twenty years.

One experience we wanted to share with you, we believe exemplifies Jim's character. It is not an over the top gesture by any means, but it says what he has quietly done to better his friends and in turn the community. During the tumultuous times of the 2008 recession I was laid off from my position of eight years. We were recently married with our first child on the way. Needless to say, during those difficult times any help was appreciated as coming family expenses and mortgage payments loomed large each month. The small gesture Jim offered was helping him set up his Christmas lights. The task was simply getting on a small ladder to put lights on the front of the house and then decorate part of the yard to match the other neighbors light displays. And then he modestly paid me for it. While it was mutually understood at the time this was a task he and his son could've done with less hassle, he was willing to help my family when we needed it the most. This small gesture we have never forgotten and remember it often when others in our own neighborhood may be going through tough times.

Jim is a good man, father and friend. His many talents are best served as able to further help his friends, family and community.

Sincerely,

The block contains two handwritten signatures in black ink. The first signature is 'Ryan Thread' and the second is 'Jennifer Thread'. Both are written in a cursive, flowing style.

Ryan and Jennifer Thread
503-382-9317 – 503-998-5449 cell
ryanthread@gmail.com – jennthread@gmail.com
12646 Joseph Way
Oregon City, OR 97045

A-58

December 18, 2018

The Honorable Lewis A. Kaplan
United States District Court for the
Southern District of New York
Room 1940
500 Pearl Street
New York, NY 10007

Dear Honorable Judge Kaplan:

I am writing on behalf of James Gatto, Jr ("Jimmy") and his character. I met Jimmy in November 1986, when my HS team scrimmaged his HS basketball team. After our game, his Dad who was my HS basketball coach introduced us and this is where we began our friendship. After knowing one another for over thirty years, it is more like a brotherhood.

Jimmy has proven to be a responsible person, friend and family man. Jimmy is known for being a dedicated husband, father, son and brother. Jimmy has always greeted us with a smile on his face, words of encouragement and a brotherly hug if you needed. I can write in total confidence that few men have time or make time to help others when it does not directly involve themselves.

For example, May of 1988, my oldest sister passed away of cancer and then seven months later of the same year, my Dad passed away of a heart attack. This was the hardest time of my life. During this time, Jimmy and the Gatto family stood beside me and my family's side. Jimmy and I would speak frequently during our college days. Jimmy would allow me to vent and talk about my hurt, pain and frustration and of not having my Dad around. Jimmy encouraged me to not give up on my dreams. He encouraged me to hang out with him and his dad which created a bond that I am ever so grateful for.

From 1995 to 2015, I had the Turk and Rhonda Fishburne basketball tournament in honor of my Dad and sister. Jimmy encouraged and supported me in honoring my Dad and sister's legacy. He helped me organize the tournaments by reviewing the schedules for the games, teams and referees. Jimmy put in a lot of time to help me. Jimmy provided the youth (12 and under) with headbands, knapsacks and shirts to play in for their basketball games. This provided the youth in the community an opportunity to have something to do after school and on the weekends. This is just a small example of how Jimmy is willing to help and give to others.

From our early years as teenagers to now grown men with children of our own, Jimmy, Jr. has always been there for me and my family, willing to lend a helping hand with anything and everything. Our conversations has since shifted to where we discuss more about our own children and how we want to instill the same family values our parents instilled into us. We talk

27296074.1

out about how times flies and now we are looking forward to our children going off to college and setting their own life goals.

Thank you for your time and the opportunity to send a letter on behalf of my brother who we love. I can be reached at (347) 858-1934 or at pricelessmemories02@yahoo.com.

Respectfully submitted,
Ram Fishburne

A-59

TO: The Honorable Lewis A. Kaplan

United States District Judge

Southern District of New York

500 Pearl Street

New York, NY 10007

FROM: Milton Lee

CEO – Keemotion Technology

RE: Reference for Jim Gatto

I am a personal friend of Jim Gatto's and have known him for over 25 years. Jim was introduced to me socially, by one of his closest friends in life, Matt Candel. Matt and I went to the University of Pennsylvania together. As Jim and I got to know each other, we began to discover more about each other's passions for the game of basketball. I was working on Wall Street at the time and spent a lot of time as a volunteer coach with inner city kids in NYC.

In 2003, I transitioned into the basketball industry full time and Jim and I would see each other more and more. Jim took an interest in the different ways I was touching our youth and often times offered to help in any way he could. He made obvious through his words and actions that he wanted to help those less fortunate. Most often it was through the form of some sort of donations. There are countless times I called upon Jim's generosity. Here are some examples:

1. Donating t-shirts regularly to the Bronx based youth program I was involved with, Dyckman Basketball,
2. Donating shorts and jerseys (multiple times) for summer camps I would conduct for college and HS basketball players,
3. Donating t-shirts and sneakers for a clothing drive we did for a player from Jamaica,
4. Outfitting the New York Athletic Club's basketball team every year and donating t-shirts to give away for our trips to China, Guadeloupe and our annual tournaments around the country.

Jim never asked for anything in return. Not even a mention. Through the years, that's what I learned Jim liked to do, he wanted to help and didn't care about the credit.

As I became further ingrained in the basketball community Jim and I would see each other more and more. We would regularly spend time together during HS AAU events, college tournaments, the Final 4 and at NBA Summer League. I probably saw Jim as much as anyone from NY did. These were often stressful times for Jim as they were events that Adidas was sponsoring or very involved with. But Jim always made time for his friends, and me in particular. Always asking how he could help or if I needed

anything – his line was, “Milt, you good?” It was a special quality that was very endearing and was one of the reasons Jim was so well liked. In the past year, Jim’s name has come up in a number of conversations as people in the industry know I am close with him. A phrase I’ve heard a few times, “Jim was such a good dude, all he did was help people.”

In 2015, I became CEO of a sports technology company called Keemotion. Jim again kept asking how he could help. On countless occasions I asked Jim for an introduction to a basketball program or a word of recommendation on my behalf. And Jim always came through. He would brainstorm ideas for how I could get more exposure and helped me plan a course of action for the AAU summer circuit. Again, never asking for anything in return.

I am a big fan of Jim Gatto the human being. He has shown me through words and actions that he is a good person that wants to help those in need and those he cares about. There are many people that Jim has touched through his generosity – some he knows, and many he doesn’t. Judge Kaplan, I hope you will consider taking into consideration Jim’s generosity and the positive impact he’s made on so many when determining his sentence. As he gets older, I know this experience will only motivate him to continue having a positive influence on society and our youth. He has so much to offer society out of jail. The Jim Gatto I know always came from a place of caring and selflessness, and I hope I repaid his generosity in a small way by helping describe what kind of person he was.

Thank you for your consideration,

A handwritten signature in black ink, appearing to be 'Milton Lee', with a stylized, flowing script.

Milton Lee

A-60

Chauncey Billups
Mr Big Shot

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan,

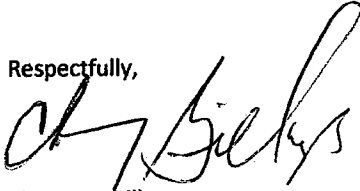
My name is Chauncey Billups, and I am former NBA player and current analyst for ESPN. I have known Jim Gatto for the larger part of my professional career.

Since partnering with Adidas early in my career, thanks in large part to my relationship with Jim, he has been a blessing to me and my family. He has not only provided wisdom, but also guidance and countless hours of dedication to the people he serves and the game he loves.

I have seen on numerous occasions during camps and other engagements how much he truly cares about people and helping as much as he possibly can in showing a path of positivity for so many young people and continuing that relationship throughout their adult lives.

I consider Jim a colleague, but more importantly I am proud to call him a friend with a heart of gold.

Respectfully,



Chauncey Billups

*Verdugo Circle Dr.,
Glendale, CA 91206
323-374-5292*

A-61

December 17, 2018

The Honorable Lewis A. Kaplan
United States District Court for the
Southern District of New York
Room 1940
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan,

My name is Makhtar Ndiaye and I am 45 years old.

I was born in Senegal West Africa and came to the US as an 18 year old kid with the goal of making the American dream a reality and be able to help my family . Along that journey I met a young man in the name of Jim Gatto from New York and more than 20 years who would've believe that we both would be some very responsible adults with kids and good family men.

Jimmy and I came from different backgrounds of course but we have a few things in common , our drive and loyalty. We met through my legal guardian at the time Sonny Vaccaro who was running the biggest high school basketball camp in the country at that time. Despite my lack of English , because French was the language I spoke fluently , Jimmy played the role of a translator and to this day i don't know how. We used to pick up shoe boxes and put them in order for the campers among many other things that we were doing to help.

The man that I know is a GOOD man , loving father , hard worker and a very good friend who became family. We shared many laughs and tears over the years.

Jimmy has been very good at helping me give back to kids in need in my native country of Senegal. The man has a big heart and land a helping hand without any expectations.

I am hoping that he can get back to a normal life and take care his family.

I am praying to have my friend back after the difficult times he is going through.

Going to prison isn't something I wish on anyone so your honor if you can spare my friend from that and put him on probation you'll help rehabilitate a family and give Jimmy another chance to make things right.

Respectfully,

Makhtar Ndiaye

A-62

The Honorable Lewis A. Kaplan

December,2018

US District Judge

South District of NY

500 Pearl St.

NY NY 10007

Dear Judge Kaplan:

I wanted to write a letter on behalf of James Gatto, who has appeared before you this past year. It is never a good situation when a young man is on the verge of being taken away from his family, especially when I have known he and his family for over 30 years. Jim's dad and I were teaches and coaches in the Catholic HS Athletic Association for over 40 years and through that relationship I came to know James very well.

As a young man, a son, a husband and a father I have never met a better young man. He was always there for everyone ,including students and coaches in our League. He helped coaches get into tournaments so his kids could have a great educational experience as they traveled to different states.

He was always there to help a young inner city kids reach their potential and become better members of our society. He was able to get sponsorships for our League so that all the players and coaches in the league were treated with dignity and respect . I can't speak to the legal process, I leave that up to people like you who have spent their entire lives seeking justice, but I can speak to the integrity and character of this young man who has always impressed me as a great person. His principals and ideals ,that were taught to him by his parents , have always made me honored to consider Jim as a friend. I have 2 sons and can't imagine what the family is going through. But I can tell you that Jim is a man of character and faith and will do all in his power to take care of his family.

Thanks You,


Raymond P Nash

President

Catholic HS Athletic Association

A-63

Jeff Attila
4628 SW Kelly Ave.
Portland, OR 97239

December 17, 2018

To:

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan,

Very few people in my life have made a positive impact in the ways Jim Gatto has. Our relationship originated through work in 2012, but Jim quickly became someone I considered a father figure in my life. Jim has always treated me with the respect and compassion that has made me aspire to be a better person.

The time I have spent with Jim over the past seven years has shown me that he is a kind, caring and selfless member of the community. Jim has welcomed me into his home many times over the years where I have gotten to know and become close with his wife, Rachel, and children, Grace and Jack. It has been a privilege to spend time with the family and watch Grace and Jack grow up, whether that be attending their sports games, going out to dinner, or just spending time visiting at the house.

I write this letter in hopes that you will consider imposing a term of probation rather than prison sentence for Jim. Jim has demonstrated a tremendous amount of service to the community throughout his lifetime and does not deserve to be incarcerated. Rachel, Jack and Grace need Jim in their life now more than ever and we would be so appreciative of that opportunity.

Thank You,

Jeff Attila

A-64

December 4, 2018

To: Whom It May Concern:

This letter will serve as a recommendation for Mr. James Gatto Jr.:

I have known Mr. Gatto Jr. for over 40 years. I find him to be a Good Man and a tireless, caring human being. Mr. Gatto Jr. was an accepted member of my extended family, as I saw something in him as a young kid. Mr. Gatto Jr. always exhibited the importance of setting a high level of value on the morals that one needs to develop early on in life to be successful at anything. Having been a part of this philosophy as a Student-athlete playing under his father's tutelage at Mater Christi High School in Astoria, Queens from 1970 – 1973 for 3 seasons, being very committed to facilitating, advocating and seeing individuals with many diversified life's challenges, reach their goals successfully. Mr. Gatto Jr. exudes a do not quit attitude that is extremely beneficial to the community and to the population that he served with the highest standards of professionalism with Pride and Quality. Mr. Gatto Jr's abilities of being able to empathize and communicate with individuals that may have been considered (by some) on the outer fringes of the community. He assisted and advocated for them with a positive dynamic and healthy alternatives of viewing life with a open mindset of initiating whatever tools one has developed to face all challenges set before oneself, and to persevere forward to achieving ones goals.

Mr. Gatto Jr. is an exemplary Leader, Teacher, Counselor, Specialist and Colleague.

I highly recommend Mr. Gatto Jr. be afforded any considerations that may deem him responsible enough to continue on involved in any activities that provides service to the community. He possesses the Talent, Dedication and High Energy needed to help others and to create a hopeful environment.

If you have any further questions, please feel free to contact me at any time:
Mr. Roy Beekman (917) 523-2807.

Respectfully,

**Roy Beekman - BA
Mater Christi High School Class of - 1973
Niagara University Class of - 1978**

A-65

Debby Ambrose
2752 Culbertson
Rochester Hills, MI 48307
248-852-5058

December 10, 2018

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

RE: Character Reference for Jim Gatto

Dear Judge Kaplan,

My name is Debby Ambrose and I'm writing to you today on behalf of Jim Gatto. Jim and I are 1st cousins, and I've known him his entire life. We've spent many summer vacations together at our grandparent's home in Michigan where our mothers grew up, and also in New York where Jim grew up. Of all my cousins, Jim and his sister Danielle and brother Peter are my favorite cousins, and the ones I have spent the most time with.


I have always been extremely fond of Jim and his siblings, as they are the nicest and most sincere people I know. Each of them is hard-working, responsible, dependable, caring, compassionate, super friendly and a joy to be around. I'm especially proud to see the great job they're doing raising their own children with the same great qualities. Jim's kids are amazing, and his wife Rachel is one of the sweetest people I have ever met. I know Jim to be a wonderful and devoted husband and father, and close friend to many.

Jim's parents, my Aunt Barb & Uncle Jim, are hands down the greatest couple I have ever known, whether related or not. Throughout my life they have been my biggest role models. I consider them the best parents a kid could have as they are the most sincere, caring, loving, happiest and most humorous people I know. My cousin Jim is very fortunate to have such a great family and such a great upbringing.

I have never known Jim to be anything but an upstanding citizen and a very fine man. I hope that some of this can be taken into consideration in determining his sentencing, and I pray that his sentence will be as lenient as possible, not just for Jim's sake, but for the sake of his wife and children.

Thank you for taking the time to read my letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Debby Ambrose', with a long horizontal flourish extending to the right.

Debby Ambrose

A-66

December 12, 2018

The Honorable Lewis A. Kaplan
United States District Judge
South District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan,

I write to you on behalf of James Gatto who will appear before you for sentencing in the early portion of 2019.

Mr. Gatto was convicted by a jury of his peers this fall and his guilt is not in question. What is in question is the severity of his sentence.

Having been privileged to work for the Honorable Franks S. Hogan and Robert A. Morgenthau for over 9 years, I have an idea of how difficult the decision you must make is. James Gatto is a young man who has lived a good life and raised a wonderful family. Somewhere along life's journey, he made a terrible decision and now he must pay for his mistake.

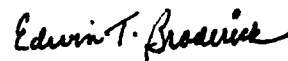
I ask you to remember all the good Mr. Gatto did over his years and the type of individual he is and remains.

I have known Mr. Gatto's father for over 40 years and I consider him one of the finest people I have ever known. He devoted his life to teaching and coaching basketball in Astoria, Queens at St. John's Preparatory School and Mater Christi High School. He mentored hundreds of young men who have become solid citizens and wonderful additions to their communities. His son is one of the fine men.

Thank you, your Honor for allowing me to speak my piece about a young man I greatly admire.

I know you will do the right thing and consider Mr. Gatto's entire life and not, only the time, when he made a terrible decision.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Edwin T. Broderick". The signature is fluid and cursive, with a prominent "E" and "B".

Edwin T. Broderick

A-67

Anthony Cortese
3049 Wilson Avenue
Wantagh, NY 11793

November 26, 2018

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Judge Kaplan:

I am writing this letter on behalf of my very dear friend James Gatto. I have known Jim, as I have always referred to him, for over 40 years. We grew up together in Lynbrook, New York. I have also been very close with his family for the same period of time. We were brought up in very similar fashion as the community we grew up in was a working class town but one with true values which were bestowed upon us from our parents.

During our friendship we went through elementary school through high school playing sports and just doing the things kids did over the course of three decades. Jim was always one who could bring everyone together. He was a not only a great athlete but a person who had the ability to lead by example. He was always the one who could motivate others through his efforts and personality. Beyond our years growing up in Lynbrook, we also managed to stay close as we attended college not far from one another. Jim was always there to listen and be a true friend as we faced challenges and changes as we grew into becoming adults and trying to live the lives which focused on the values of how we were raised. As time went by, we had moved in different directions because on career paths. The thing is, it didn't change who he was. He is to this day one of the most caring individuals that make me proud to consider him one of my best friends. He has managed to raise two wonderful children and be a model husband. Someone that most people would truly look up to and try to emulate.

One thing that stands out to me most over the 40 plus years I have known Jim, is that he was always there for me and several other friends. Over time, people move on to different things, but Jim always was the one who could bring everyone together. If there were differences amongst our friends, we always were able to put aside any differences because we wanted to see Jim, knowing that he may have traveled hundreds of miles to come back home and visit. That is just the person who Jim is! He is truly one of the nicest, sincerest individuals one would ever come in contact with. I'd like to think I am a better person because I have been fortunate enough to spend so much time with Jim and his family which truly defines who he is as a person.

For all the comments stated above, I don't believe Jim is someone who should have to go to prison for any period of time. I would hope that you strongly consider who Jim is as a

person and the qualities he possesses as a human being. I stand by him 100% and will always be proud and honored to know that he is and always will be my friend, but more importantly someone who people look up to.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony Cortese", with a stylized, sweeping flourish extending to the right.

Anthony Cortese

A-68

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street New York, NY 10007

Dear Judge Kaplan,

I am writing you on behalf of my friend and colleague Jim Gatto.

I have known Jim for 15 years. He is a good man. He is a family man. He is a community man.

I met Jim when negotiation a footwear and apparel deal for a client. The conversations were stern but fair. and I gained a huge amount of respect for Jim. Through our work relationship we became friends.

It's really tough seeing such a good person in this position. Very few businessman who work in power positions like Jim did at adidas ever find time for family, friends and community. Jim always made each important attributes in his life. He is a well know role model in the Portland community.

There is a lot of pressure in division one college athletics. Pressure to win at all cost. Unfortunate mistakes are made when pressure is placed on people. Jim made some mistakes in judgement trying to accommodate adidas competitive position.

Jim is not that type of person what deserves incarceration. He could do so much more for his community through probation. Jim has influenced the lives of so many young men and women that are now making a difference in our world. They were athletes that became lawyers, doctors and even TV commentators. I'm a kid from the inner city that got a chance to make a difference through athletics. If there weren't men like Jim around I may have never gotten my chance.

I too was once one of those kids. Being a basketball player helped me to get a college education. Getting an education helped me start a successful business. Working with and learning from men like Jim made me a better businessman and a better person.

I ask that you consider leniency in your sentencing of Jim. Jim could become a valuable spokesperson to help educate youth and their families on how to avoid the pressures and pitfalls of competitive athletics.

Jesus walked our world for 33 perfect years. Every human since has been forgiven for their mistakes with the promise from the Christ of the opportunity to repent and do better. Jim deserves a chance to make something good come out of this bad situation

Respectfully submitted

Eric Goodwin